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SUBJECT: MFA Gives PSI Ship Boarding Agreement Update

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¶1. (SBU) During a March 15 meeting on other subjects, poloff asked MFA Legal Department Direct B. Altangerel about where the interministerial review of the PSI ship boarding agreement stood. Altangerel replied that MFA had now received replies from all ministries. However, the Ministry of Justice and Home Affairs, and the Ministry of Roads, Transport and Tourism had expressed objections to an agreement on the grounds of sovereignty.

¶2. (SBU) Altangerel expressed disagreement with these objections, saying that he thought these involved an erroneous reading of the proposed agreement and "sovereignty." He added, though, that Mongolia likely would seek some wording changes in the draft presented by the U.S. Poloff observed that a number of countries, including those with the majority of the world's shipping tonnage, have signed agreements with the U.S. Poloff noted that, should the GOM have any questions or requests for clarifications, he would convey these to Washington for a response.

¶3. (SBU) Altangerel opined that the ship boarding agreement is an important one and would be of benefit in view of Mongolia's growing ship registry. He stated that he believes Mongolia should sign it. He said he had discussed the agreement with Foreign Minister Enkhbold the previous day, and recommended that he be allowed to reach out to ministers of the two ministries which had opposed signing the ship boarding agreement. Because of the new government, both ministers had changed at the end of January, Altangerel noted. He had hopes that he can convince the new ministers to reverse the position opposing the agreement which officials lower in their ministries had taken.

¶4. (SBU) Thus, Altangerel said, he is holding off forwarding the ship boarding agreement to the Cabinet, in hopes it could be sent later with unanimous endorsement by the ministries. He added that he had argued to the Foreign Minister that Cabinet approval before negotiation should be sufficient, and that it should not require the additional laborious task of clearance by Mongolia's National Security Council (the President, Speaker, and Prime Minister). Once an agreement is negotiated, he observed, it would be reviewed by the parliament and thus, he had urged, the earlier NSC approval could be omitted.

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